

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 466 of 2005

Between:

The Gram Panchyat, Hothi K Village, Zaheerabad Mandal, Medak District,
rep. by its Sarpanch, Khaza Banu, W/o. Maqdoom, Aged 40 years, R/o. Hothi K.
Village, Zaheera Bad madnal, Medak District.

..... PETITIONER

AND

- 1 The Collector, Medak District, at Sangareddy.
- 2 The District Panchayat Officer, Medak District, at Sangareddy.
- 3 The Mandal Revenue Officer, Zaheerabad Mandal, Medak District.
- 4 The Sub Insepctor of Police, Zaheerabad P.S., Medak District.
- 5 Pedda Bai Anjanna, S/o. Mallappa,
R/o. Hothi K. Village, Zaheerabad Mandal, Medak District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus directing the respondents 1 to 3 to take immediate action against the 5th respondent for his illegal trespass and illegal constitution over the cattle pond belonging to the gram panchayat Hothi K Village, Zaheerabad Mandal, Medak District by duly considering the complaint of the Gram Panchayat and further, the 4th respondent may be directed to take the complaint the 5th respondent for his illegal trespass and unlawful construction over the cattle pond in terms of the resolution dt. 28.12.2004 passed by the Gram Panchayat, Hothi K Village and see that the cattle pond of Gram Panahcyat is not subject to any encroachment and construction over the cattle pond by any party, particularly the 5th respondent.

Counsel for the Petitioner : Mr.M.DAMODAR REDDY

Counsel for Respondents 1 to 4 : G.P. FOR PANCHAYAT RAJ &
G.P. FOR HOME

The Court at the stage of admission made the following :

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Panchayat Raj.

The main grievance of the petitioner Gram Panchayat in this writ petition is that pursuant to a resolution dated 28.12.2004, the petitioner Gram Panchayat has rejected the application of fifth respondent for construction of house in the place of cattle pond belonging to Gram Panchayat and in spite of the same, fifth respondent started construction. Therefore petitioner-Gram Panchayat made complaints dated 24.12.2004 and 29.12.2004 to the fourth respondent and first respondent respectively requesting to take action against fifth respondent to stop the proposed construction over the land belonging to the petitioner-Gram Panchayat. Since the respondents did not take any action on the said complaints, the present writ petition is filed.

The learned Government Pleader appearing for respondents 1 to 4, on instructions, submits that the fourth respondent has already conducted enquiry pursuant to the complaint made by petitioner Gram Panchayat and are taking further action in the matter.

In view of the submission of the learned Government Pleader for Panchayat Raj, that respondents are proceeding to take necessary action in the matter, no further orders need be passed in the present writ petition.

Accordingly, the writ petition is closed.

N.V.RAMANA, J

Date: 27.1.2005

DA/KSR

- 1 The Collector, Medak District, at Sangareddy.
 - 2 The District Panchayat Officer, Medak District, at Sangareddy.
 - 3 The Mandal Revenue Officer, Zaheerabad Mandal, Medak District.
 - 4 The Sub Inspector of Police, Zaheerabad P.S., Medak District.
- 5 Two CCs to the G.P.for Panchayat Raj, High Court Buildings, Hyderabad (OUT).
- 6 Two CD copies.